

IN THE GENERAL SESSIONS COURT FOR CARTER COUNTY, TENNESSEE

PLAINTIFF

-VS-

CIVIL ACTION

#

DEFENDANT

MOTION: TO COMMUTE JUDGMENT TO INSTALLMENT PAYMENTS

Comes now _____, Defendant/Debtor, in the above styled matter, pursuant to TCA 26-2-216, and would move the Court to commute the judgment in the above styled matter to periodic installment payments. In support of their Motion, Movant would show unto this Court as follows:

1. Judgment was entered against the Movant in the above matter on the _____ day of _____, 20____, in the sum of \$_____, plus clerk fees/costs for a total of \$_____.
2. Movant has no other source(s) of income other than wages from their employment with: _____ whose address is _____, TN (zip) _____ and _____ of _____, TN, with which to pay the judgment.
3. Movant's gross income (before deductions) is \$_____ () weekly, () bi-monthly, () monthly.
4. Movant requests that installment payments be set at \$_____ per () weekly, () month, and would show the Court that said sum is the maximum payment they can make.
5. Movant has the following assets: (describe all property you own, both real estate and personal property)

Description:

Value: \$_____

6. Movant has cash funds in the following banking institution:
(Credit Union, Bank, Savings/Loan)

Total: \$_____

Value: \$_____

7. Movant has the following liabilities (debts):

_____	\$ _____/mth	_____	\$ _____/mth
_____	\$ _____/mth	_____	\$ _____/mth
_____	\$ _____/mth	_____	\$ _____/mth
_____	\$ _____/mth	_____	\$ _____/mth
_____	\$ _____/mth	_____	\$ _____/mth
_____	\$ _____/mth	_____	\$ _____/mth
_____	\$ _____/mth	_____	\$ _____/mth
_____	\$ _____/mth	_____	\$ _____/mth
_____	\$ _____/mth	_____	\$ _____/mth

Total monthly pymts: \$_____

8. Movant has the following exempt assets:

Value: \$ _____

Respectfully submitted: This, the _____ day of _____, 20__.

Movant (Defendant)

STATE OF TENNESSEE, COUNTY OF CARTER

After being duly sworn according to law, Movant makes oath that they have read the foregoing Motion and the information contained therein is true to the best of their knowledge, information and belief. This the _____ day of _____, 20__.

Movant (Defendant)

Sworn and subscribed before me, this _____ day of _____, 20__.

Clerk/Deputy Clerk

CLERK'S CERTIFICATION

This is to certify that I have, this date, served a copy of the foregoing Motion upon the Plaintiff/Creditor and caused the same to be set on the Court's Docket for trial on the _____ day of _____, 20__.

Clerk/Deputy Clerk

Date: _____

ORDER: COMMUTING TO INSTALLMENTS

This cause came to be heard this _____ day of _____, 20__, before the Honorable John W. Walton, Judge of the General Sessions Court for Carter County, TN. Upon the motion; testimony in open court and the record as a whole, the Court is of the opinion that the motion () is / () is not well taken.

Wherefore, it is ordered, adjudged and decreed that:

- () The Motion is denied and the Clerk shall issue execution upon proper application by the Plaintiff/Creditor.
- () The Motion is granted and Movant/Debtor shall make installment payments of \$ _____ per () week / () month, beginning on the _____ day of _____, 20__, and each () week / () month thereafter on such day. The Clerk shall cause any execution in this matter to be recalled and held for naught as of the date of this Motion was filed with the Court.

() Movant's exemption(s) is / are approved.

Enter this _____ day of _____, 20__.

John W. Walton, Judge